

REMARKS**INTERVIEW SUMMARY**

On Monday, June 2, 2008, the undersigned telephoned the examiner to discuss the Examiner's Amendment detailed in the Notice of Allowability dated May 29, 2008. In the Notice of Allowability, the Examiner stated that the amendments filed by Applicant on March 13, 2008, failed to comply with MPEP §1214.06. Additionally, the Examiner indicated that the application was amended to cancel claims 8-24.

In the Decision of the Board of Patent Appeals and Interferences, the rejection of claims 12 and 24-29 were reversed. MPEP §1214.06(II) states:

If the Board affirms a rejection against independent claim 1, reverses all rejections against dependent claim 2 and claim 3 is allowed, after expiration of the period for further appeal, the examiner should either:

(A) Convert dependent claim 2 into independent form by examiner's amendment, cancel claim 1 in which the rejection was affirmed, and issue the application with claims 2 and 3; or

(B) Set a 1-month time limit in which appellant may rewrite dependent claim 2 in independent form. Extensions of time under 37 CFR 1.136(a) will not be permitted. If no timely reply is received, the examiner will cancel claims 1 and 2 and issue the application with allowed claim 3 only.

The Examiner issued a "Miscellaneous Action with SSP" dated February 28, 2008, which indicated that Applicant was given a one-month time period to present the dependent claims 12 and 24 in independent form. As such, it is clear that the Examiner followed that which is set forth in paragraph (B).

Applicant filed a Response to the Miscellaneous Action with SSP on March 13, 2008. In the Response, the subject matter of dependent claim 12 was amended into independent claim 8, and the subject matter of dependent claim 24 was amended into independent claim 16, thus presenting the dependent claims rewritten in independent form.

The Examiner then issued the Notice of Allowability, which, as stated above, indicated that the amendments made in the Response of March 13, 2008, failed to comply with MPEP §1214.06.

In the telephone interview indicated above, the undersigned explained that paragraph (B) of MPEP §1214.06(II) sets forth that the Examiner will cancel claims only after no receipt of a timely reply. As such, the undersigned discussed that it was improper to cancel independent claims 8 and 16 prior to the one-month period in which a timely reply may be filed. Also, it was explained that the amendments in the timely-filed Response of March 13, 2008, presented the subject matter of dependent claims 12 and 24 in independent form as permitted in paragraph (B).

The Examiner stated that he would discuss the matter with his SPE and report back. The Examiner kindly telephoned the undersigned on Wednesday, June 4, 2008, to report that the claims will be accepted in an amendment under 37 CFR §1.312.

Accordingly, the above amendments are presented to rewrite the subject matter of previously-allowed dependent claims 12 and 24 in independent form. Since the cancelation of claims 8-24 was in error, the newly presented claims above are presented as new claims such that their numbering begins with claim 31. Independent claim 31 presents the subject matter of previously pending claim 12 having the subject matter of previously pending claim 8 incorporated therein. Independent claim 38 presents the subject matter of previously pending claim 24 having the subject matter of previously pending claim 16 incorporated therein. Dependent claims 32-37 and 39-45 coincide with previously pending claims 9-11, 13-15, and 17-23, respectively, which depend either directly or indirectly from previously pending claims 8 or 16. Since newly-presented claims 31 and 38 are in condition for allowance, newly-presented dependent claims 32-37 and 39-45 are also in condition for allowance at least through their chain of dependency.

Applicant has attached hereto an Addendum showing a claim listing of the claims identified above to present them in their original numbering along with changes shown therein to assist in correlating the newly-presented claims in the claim listing above thereto.

Entry of the above amendments is appreciated. Applicant believes that no fees are required to enter the above-presented claims and that the scope of the above-referenced claims is unaffected.

Applicant cordially invites the Examiner to contact the undersigned with any questions.

Respectfully submitted,

/Kent L. Baker/

Kent L. Baker
Registration No. 52,584
Phone 262-268-8100 ext. 12
klb@zpspatents.com

Dated: June 5, 2008
Attorney Docket No.: GEMS8081.072

P.O. ADDRESS:
Ziolkowski Patent Solutions Group, SC
136 South Wisconsin Street
Port Washington, WI 53074
262-268-8100

ADDENDUM

This addendum lists the currently pending claims 25-29 and 31-45 in their original numbering to assist in their correlation with the claim listing as presented above, which re-numbers and re-positions the following claims and dependencies as needed.

CLAIM LISTING

9. (New claim 32 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the at least one publication format includes media formats foreign to the media creation application.

10. (New claim 33 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the at least one publication format includes at least a portable document format, a hypertext markup language, an x-markup language, a rich text format, a JPEG format, a GIF format, a TIFF format, encryption formats, a bitmap format, compression format and electronic messaging formats.

11. (New claim 34 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the computer is further caused to transmit the content of the electronic media to the document management system to store the content of the electronic media in a readily identifiable data file according to the rules of the document management system.

12. (New claim 31 above) ~~The computer readable storage device of claim 8~~ A computer readable storage device having stored thereon a program that when executed by a computer causes the computer to:

identify a command from a media creation application to manage an electronic media;

access the electronic media;

initialize a media publisher independent of the media creation application and configured to control publication of the electronic media to a document management system, wherein the media publisher is further configured to transform the content of the electronic media into at least one publication format;

receive a media control instruction from the media publisher to transform the content of the electronic media into at least one publication format;

publish the content of the electronic media directly into the at least one publication format in accordance with the received media control instruction and storage rules of the document management system; and

wherein the computer is further caused to receive more than one media control instruction and simultaneously transform the content of the electronic media into more than one format.

13. (New claim 35 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the computer is further caused to initialize the media publisher in response to a print command from the media creation application.

14. (New claim 36 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the computer is further caused to retrieve the content of an electronic media from the document management system by using at least one of a plurality of publication parameters associated with the published content of the electronic media.

15. (New claim 37 above) The computer readable storage device of ~~claim 8~~ claim 12 wherein the computer is further caused to electronically transmit the content of the electronic media to at least one of a supervising approver and a workflow recipient.

17. (New claim 39 above) The computer readable storage medium of ~~claim 16~~ claim 24 wherein the sequence of instructions further causes the processor to display the GUI in response to a document management instruction.

18. (New claim 40 above) The computer readable storage medium of claim 17 wherein the sequence of instructions further causes the processor to execute acts (A) through (E) in response to a user print instruction.

19. (New claim 41 above) The computer readable storage medium of claim 18 wherein the sequence of instructions further causes the processor to recognize a user print instruction from any software application capable of printing the electronic data file.

20. (New claim 42 above) The computer readable storage medium of ~~claim 16~~ claim 24 wherein the number of publication commands include a publish command, a compress command, and a

number of conversion commands including a convert to PDF command and a convert to HTML command.

21. (New claim 43 above) The computer readable storage medium of ~~claim 16~~ claim 24 wherein the number of publication formats include PDF, JPEG, GIF, TIFF, HTML, XML, RTF, TXT, DOC, encryption, PPT and ZIP.

22. (New claim 44 above) The computer readable storage medium of ~~claim 16~~ claim 24 wherein the sequence of instructions further causes the processor to retrieve an electronic data file from a document management system capable of storing the electronic data file.

23. (New claim 45 above) The computer readable storage medium of ~~claim 16~~ claim 24 wherein the sequence of instructions further causes the processor to route the converted data file to a supervisor and a subsequent document designate.

24. (New claim 38 above) ~~The computer readable storage medium of claim 16 wherein the sequence of instructions further causes the processor,~~ A computer readable storage medium having a computer program stored thereon and embodying a sequence of instructions that when executed by a processor causes the processor to:

(A) access an electronic data file in response to at least one of an application print command and application open command;

(B) display a graphical user interface (GUI) configured to facilitate user selection of a number of publication commands;

(C) receive a user selection of at least one publication command;

(D) route the electronic data file to a converter configured to convert the electronic data file directly into at least one of a number of publication formats compatible with a document management system;

(E) transmit the at least one converted data file to at least one publication system capable of publishing the converted data file in the at least one publication format to the document management system; and

(F) in response to a user instructions, displays a listing of document approving supervisors.

25. (Previously Presented) A system for publishing documents to a document management system comprising:

- a computerized network
 - a readable memory electronically linked to the network;
 - a plurality of computers connected to the network, wherein at least one of the plurality of computers, displays electronic data to a user in the form of a graphical user interface (GUI);
 - a processing unit programmed to call the GUI on demand and enable a user selection of one or more publication formats, wherein the one or more publication formats conform to document management system parameters and include publication formats non-native to a creation document format; and
- wherein the processing unit is further programmed to convert a document to at least one of the publication formats and call the GUI directly from the application used to create the document a user desires to publish.

26. (Previously Presented) The system of claim 25 wherein the processing unit is further programmed to automatically generate a document management system document identifier and assign the document management system document identifier to the document.

27. (Previously Presented) The system of claim 25 wherein the processing unit is further programmed to automatically assign document management system publication parameters, wherein the document management system parameters include at least one of a document category, document format, document approval, and document workflow.

28. (Original) The system of claim 25 wherein the processing unit is further programmed to display a list of a number of supervisors approving and a list of a number of work flow document recipients upon a user instruction.

29. (Previously Presented) The system of claim 28 wherein the processing unit is further programmed to route the document to at least one of a supervising approver or a work flow document recipient upon a user instruction.